NEW YORK STATE SENATE

THE STENOGRAPHIC RECORD

ALBANY, NEW YORK

February 13, 2023

3:39 p.m.

REGULAR SESSION

SENATOR JAMAAL T. BAILEY, Acting President

ALEJANDRA N. PAULINO, ESQ., Secretary

P R O C E E D I N G S

ACTING PRESIDENT BAILEY: The Senate will come to order.

I ask everyone present to please rise and recite the Pledge of Allegiance.

(Whereupon, the assemblage recited the Pledge of Allegiance to the Flag.)

ACTING PRESIDENT BAILEY: In the absence of clergy, let us bow our heads in a moment of silent reflection and/or prayer.

(Whereupon, the assemblage respected a moment of silence.)

ACTING PRESIDENT BAILEY: The reading of the Journal.

THE SECRETARY: In Senate, Friday, February 10, 2023, the Senate met pursuant to adjournment. The Journal of Thursday, February 9, 2023, was read and approved. On motion, the Senate adjourned.

ACTING PRESIDENT BAILEY: Without objection, the Journal stands approved as read.

Presentation of petitions.

Messages from the Assembly.

The Secretary will read.

THE SECRETARY: Senator Breslin

moves to discharge, from the Committee on Rules, Assembly Bill Number 2200 and substitute it for the identical Senate Bill 836, Third Reading Calendar 45.

Senator Breslin moves to discharge, from the Committee on Rules, Assembly Bill Number 973 and substitute it for the identical Senate Bill 839, Third Reading Calendar 48.

Senator Kennedy moves to discharge, from the Committee on Rules, Assembly Bill Number 602 and substitute it for the identical Senate Bill 840, Third Reading Calendar 49.

Senator Skoufis moves to discharge, from the Committee on Rules, Assembly Bill Number 971 and substitute it for the identical Senate Bill 844, Third Reading Calendar 53.

ACTING PRESIDENT BAILEY: So ordered.

Messages from the Governor.

Reports of standing committees.

Reports of select committees.

Communications and reports from state officers.

Motions and resolutions.

Senator Gianaris.

SENATOR GIANARIS: Good afternoon, Mr. President.

ACTING PRESIDENT BAILEY: Good afternoon.

SENATOR GIANARIS: We're going to begin with an introduction. Please recognize Senator Kennedy.

ACTING PRESIDENT BAILEY: Senator Kennedy for the purposes of an introduction.

SENATOR KENNEDY: Thank you, Mr. President.

I am honored to welcome Rhonda Frederick to the chamber today. I ask Rhonda to stand and be recognized.

Rhonda is joined today by many extraordinary leaders, advocates, and parents from Western New York, including my friends Kevin Horrigan, Mindy Cervoni, Renee Phillips, Kathy Bunce, Wendy McCarthy, Kim Kadzolka, and Ernie Heywood.

Rhonda is a Western New York native and someone who's dedicated her life to helping improve the lives of others, particularly those within the community of people with disabilities.

She began her career at People Inc.

in 1980, working in group homes and dayhab programs, and over the course of the last four decades that commitment has never wavered.

In fact, her dedication has grown exponentially. She was appointed president and CEO of People Inc., Western New York's largest human service provider, in the fall of 2014. Rhonda led more than 3400 employees and oversaw residential day services, in-home support, senior services, program development, and so much more.

She is the reason so many have access to the services that they need. She is the vision behind so much of People Inc.'s growth and expansion into our community. And she is the reason so many people feel empowered to use their voice and fight for more opportunities and better person-centered care.

After all her years of service, Rhonda is entering the next chapter of her life, retirement. And although we will deeply miss her advocacy and her dedication to our community, we will continue to see her impact in the lives she changed and the services that are here because of her tireless work.

Rhonda, thank you for all that

you've done for so many across our community in Western New York, and across our great state, over so many years. Thank you for your compassion and your strength, and thank you for always leading with your heart. May the years ahead bring you joy and some well-deserved rest.

Mr. President, I ask you to acknowledge Rhonda Frederick's lifetime of service and extend to her all of the privileges of this chamber.

Congratulations.

MS. FREDERICK: Thank you.

ACTING PRESIDENT BAILEY: To Ms. Frederick, we welcome you. I welcome you on behalf of the Senate. We extend to you all of the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Mr. President, next we're going to move on for another introduction.

Please recognize Senator Salazar.

ACTING PRESIDENT BAILEY: Senator

Salazar for the purposes of an introduction.

SENATOR SALAZAR: Thank you, Mr. President.

I would like to welcome several guests who are joining us today, members of the Williamsburg Shomrim visiting us from my district.

The Hasidic Jewish community in our Senate district includes tens of thousands of people who have lived in Williamsburg for generations. Many Hasidic Jews first moved to the neighborhood from what was at the time the 10th Ward of the Lower East Side, which was very overcrowded, where Eastern European Jews lived in the years before World War II. By the late 1940s and the early 1950s, the Williamsburg Hasidic community grew further as Holocaust survivors, many of whom were Hasidic Jews from rural areas of Hungary and Romania, settled in Brooklyn.

The Williamsburg Shomrim was founded in 1977 by a Holocaust survivor named Rabbi Moshe Huffman, who gathered some volunteers to assist the neighborhood in response to a wave of violent muggings targeting Jewish residents.

Shomrim became a neighborhood

organization for safety and crime-related matters in the community, which continues to be the majority of calls taken by Shomrim today. The vast majority of Shomrim members work night shifts as a portal unit for a few hours a week.

Today, Shomrim of Williamsburg consists of over 100 volunteer members, a fleet of community patrol cars with a mobile communication truck, and a command center. Shomrim also conducts weekly trainings as needed, led by the members on duty.

In the face of acts of hate that have targeted Hasidic Jews in Williamsburg, the daily work of Shomrim is as crucial as ever. Many Hasidic residents in Williamsburg call Shomrim in an emergency because Shomrim is typically able to respond even more quickly than the police. They know the neighborhood well, and they are able to speak Yiddish to meet residents' language access needs.

I ask you to please recognize the Shomrim members who have joined us today in the Senate and extend to them all the privileges of the house.

Thank you.

ACTING PRESIDENT BAILEY: Thank you, Senator Salazar.

To our guests, I welcome you on behalf of the Senate. We extend to you all of the privileges and courtesies of this house.

Please rise and be recognized.

(Standing ovation.)

ACTING PRESIDENT BAILEY: Senator Gianaris.

SENATOR GIANARIS: Please take up the reading of the calendar.

ACTING PRESIDENT BAILEY: The Secretary will read.

THE SECRETARY: Calendar Number 44, Senate Print 835, by Senator Comrie, an act to amend the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2022.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce

the results.

THE SECRETARY: Ayes, 56.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 45, Assembly Print 2200, by Assemblymember McDonald, an act to amend the Insurance Law and the Public Health Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 6. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2022.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar 45, those Senators voting in the negative are Senators Borrello, Gallivan, Oberacker and O'Mara.

Ayes, 53. Nays, 4.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 48, Assembly Print 973, by Assemblymember Gunther, an act to amend the Public Health Law and the Insurance Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 48, voting in the negative: Senator Walczyk.

Ayes, 56. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 49, Assembly Print 602, by Assemblymember Fahy, an act to amend the Highway Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This

act shall take effect on the same date and in the same manner as a chapter of the Laws of 2022.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 53, Assembly Print Number 971, by Assemblymember Santabarbara, an act to amend the Agriculture and Markets Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2022.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to

Calendar Number 53, those Senators voting in the negative are Senators Ashby, Oberacker, O'Mara and Stec.

Ayes, 53. Nays, 4.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 61, Senate Print 852, by Senator Skoufis, an act to amend the Election Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect on the same date and in the same manner as a chapter of the Laws of 2022.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 284, Senate Print 1032, by Senator Jackson, an act to amend the Arts and Cultural Affairs Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 285, Senate Print 1192, by Senator Persaud, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to

Calendar Number 285, those Senators voting in the negative are Senators Lanza, Oberacker, O'Mara and Ortt.

Ayes, 53. Nays, 4.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 286, Senate Print 1988, by Senator Jackson, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 286, voting in the negative: Senator Lanza.

Ayes, 56. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number

287, Senate Print 2140A, by Senator Liu, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 3. This act shall take effect on the 180th day after it shall have become a law.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Senator May to explain her vote.

SENATOR MAY: Thank you, Mr. President.

I am proud to support this package of bills that's about teacher diversity in New York State.

I had the pleasure of touring a school in my district that was about 90 percent Black students and the rest mostly Latina students. And I went from classroom to classroom, and the white teachers were having a lot of trouble keeping their kids engaged and spending a lot of time on discipline and less on content.

And then the final classroom was a young Black teacher who had been a teacher's aide in this school and had come up through the ranks to become a teacher. She was teaching social studies, and the kids were spellbound. And they were falling all over themselves to answer her questions, because she was making it relatable to her own life and to their lives.

I -- it was just the perfect illustration of how important teacher diversity is in our schools, and I'm proud that we're passing this legislation.

I vote aye. Thank you.

ACTING PRESIDENT BAILEY: Senator May to be recorded in the affirmative.

Announce the results.

THE SECRETARY: Ayes, 57.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 291, Senate Print 3385A, by Senator Brisport, an act to establish a task force on educator diversity in New York State.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 4. This act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 291, those Senators voting in the negative are Senators O'Mara and Weik.

Ayes, 55. Nays, 2.

ACTING PRESIDENT BAILEY: The bill is passed.

THE SECRETARY: Calendar Number 292, Senate Print 3408, by Senator Parker, an act to amend the Education Law.

ACTING PRESIDENT BAILEY: Read the last section.

THE SECRETARY: Section 2. This act shall take effect immediately.

ACTING PRESIDENT BAILEY: Call the roll.

(The Secretary called the roll.)

ACTING PRESIDENT BAILEY: Announce the results.

THE SECRETARY: In relation to Calendar Number 292, voting in the negative: Senator Oberacker.

Ayes, 56. Nays, 1.

ACTING PRESIDENT BAILEY: The bill is passed.

Senator Gianaris, that completes the reading of today's calendar.

SENATOR GIANARIS: Thank you, Mr. President. If we could return for a moment to motions and resolutions.

On behalf of Senator Parker, on page 18 I offer the following amendments to Calendar 237, Senate Print 2935, and ask that said bill retain its place on the Third Reading Calendar.

ACTING PRESIDENT BAILEY: The amendments are received, and the bill will retain its place on the Third Reading Calendar.

SENATOR GIANARIS: Is there any further business at the desk?

ACTING PRESIDENT BAILEY: There is no further business at the desk.

SENATOR GIANARIS: Move to adjourn until tomorrow, Valentine's Day, Tuesday,

February 14th, at 3:00 p.m.

ACTING PRESIDENT BAILEY: On motion, the Senate stands adjourned until tomorrow, February 14th, Valentine's Day, at 3:00 p.m.

(Whereupon, at 3:53 p.m., the Senate adjourned.)